

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re application of: Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Serial No.: 10/500,938

Group No.: 2615

Filed: 07/08/2004

Examiner: Ping Lee

Phone No.: 571-272-7522

For: Audio System Based on at Least Second-Order Eigenbeams

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, this is an Information Disclosure Statement (IDS) for the above-captioned U.S. patent application. An IDS Form PTO-1449 listing references is enclosed herewith and forms a part hereof. Submission of references is not an admission that those references are in fact prior art.

Certification Under 37 CFR § 1.704(d)

- [X] Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this statement.

Certification Under 37 CFR § 1.97(e)

- [X] Each item of information contained in this statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement or (2) not known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

Fee Under 37 CFR § 1.97(c)

- [] The fee for submission of this IDS under § 1.97(c) is \$180.00 as set forth in § 1.17(p).

Petition Under 37 CFR § 1.97(d)

- [] This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee for submission of this IDS under § 1.97(d) is \$180.00 as set forth in § 1.17(p).

Provision of Copies of References

- [X] Copies of the non-patent literature are enclosed herewith and forms a part hereof.

- [] A translation of each of Reference(s) is enclosed herewith and forms a part hereof.

- ☐ A copy of the International Search Report from a corresponding PCT application is enclosed herewith.
- ☐ A copy of the European Search Report from a corresponding EPO application is enclosed herewith.
- ☐ A copy of the final U.S. office action for U.S. patent application no. _____ filed on _____ as attorney docket no. (Case name or our ref.).
- ☐ The above-captioned U.S. patent application is a
- ☐ continuation
 - ☐ divisional
 - ☐ continuation-in-part

application of U.S. application serial number _____, filed on _____ as Attorney Docket No. _____. Each of the listed references was previously cited by or submitted to the Office in the prior application. The above-captioned U.S. patent application relies upon the prior application for an earlier filing date under 35 U.S.C. 120. Pursuant to § 1.98(d), copies of the listed references are not being provided with this IDS.

Authorization to Charge Deposit Account

☒ Authorization is given to charge Mendelsohn & Associates, P.C. Deposit Account No. 50-0782 any deficiency or credit any overpayment for any fee under § 1.97(c) or § 1.97(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form as confirmation that each of the documents has been considered.

Respectfully submitted,

Date: 12/29/2008
Customer No. 22186
Mendelsohn & Associates, P.C.
1500 John F. Kennedy Blvd., Suite 405
Philadelphia, Pennsylvania 19102

/Steve Mendelsohn/
Steve Mendelsohn
Registration No. 35,951
Attorney for Applicant
(215) 557-6657

Enclosures